

**REMARKS**

This is a complete response to the outstanding non-final Office Action mailed March 25, 2004. Claims 1-3, 5, 7, 10, and 11 have been amended, claims 13-20 have been added, and claim 8 has been cancelled herein. No new matter has been added. Upon entry of the enclosed claim amendments, claims 1-7 and 9-20 remain pending in the present application.

The Applicant traverses all of the objections and rejections of the Office Action. Applicant presents aspects of the application that have been publicly known prior to filing of this application and aspects the Applicant regards as the invention. Applicant appreciates the Examiner's review of the above-identified patent application and respectfully requests reconsideration and allowance in view of the above amendments and following remarks.

I. Priority

Applicant submits a certified copy of the 103 48 264.4 application filed in Germany on October 16, 2003 as required by 35 U.S.C. 119(b), herein. The submission of the certified copy Bourque and Associates, P.A.  
(603) 623-5111  
THIELK-028XX

will perfect Applicant's priority claim.

II. Response to claim objections

Applicant has amended claims 1-3, 5, 7, 10, and 11 to correct informalities as suggested by the Examiner. Applicant respectfully requests reconsideration and withdrawal of claim objections.

III. Response to claim rejections under 35 U.S.C § 112

Applicant respectfully requests reconsideration and withdrawal of claim rejections.

A. Claim 2

Claim 2 recites, "whereby the strike sides of both legs that are located at the same side of the corner angle piece are in one common plane." In the exemplary embodiment illustrated in Figure 2 of Applicant's disclosure, the strike side shown as item 6 is shown as a profile running in a horizontal direction, which may be in the same plane at the strike side of the other leg shown as a profile that runs longitudinally in the direction of the page.

Figure 4 of Applicant's disclosure shows both strike sides facing and adjacent to the rear wall. Applicant respectfully requests reconsideration and withdrawal of the claim objections.

B. Claim 8

Applicant has canceled claim 8 herein. The rejection raised by the Examiner is considered moot.

IV. Response to claim rejections based on anticipation

In the Office Action, claims 1-7 and 9 have been rejected under 35 U.S.C. § 102(b) by U.S. Patent No. 4,032,242 to Morris (hereinafter, "Morris"). Claims 1-7, and 10-12 have been rejected under 35 U.S.C. § 102(b) by U.S. Patent No. 4,432,590 to Lawrence et al. (hereinafter, "Lawrence").

A. Claim 1

Amended independent claim 1 reads:

A securing device for rear walls set in grooves of cabinet furniture, the securing device including at least one first support element placed in an angle area between a rear wall and a grooved sidewall and at least one second support element placed between the rear wall and a grooved board, wherein the at least

one first and second support elements are integrated in one piece into two legs of a corner angle piece, and wherein said legs are at a right angle to one another, and whereby one of the at least one first and second support elements is formed at each of the legs whereby the first and second support elements each have contact sides at a right angle to one another; a through hole for receiving a screw or set pin, diagonal to the contact sides; and **bars protruding transversely, wherein the bars have longitudinal sides, and one of the longitudinal sides of the bars for each of the legs is planar with the rear wall and engages the grooved sidewall.**

**(Emphasis Added)**

The Applicant respectfully submits that both Morris and Lawrence fail to disclose, teach, or suggest all elements of the rejected claim for at least the reasons that follow. Specifically, Morris and Lawrence fail to disclose the above-emphasized elements of amended claim 1. Morris does not disclose bars protruding transversely. Lawrence does not disclose the bars for each of the legs being planar with the rear wall. Lawrence discloses an extension 32 for engaging the axially extending slots 25. The extension 32, as shown in Figure 10, is trapezoidal with a tapered end in the direction of the triangular web. The extension is not planar and also is not in a planar direction with the shelf of the structural system. Lawrence does not disclose the bars being planar with the rear wall. Applicant respectfully

requests reconsideration and withdrawal of the claim 102(b) rejections based on Morris and Lawrence.

B. Claims 2-7 and 9-12

The Applicant respectfully submits that since claims 2-7 and 9-12 depend on independent claim 1, claims 2-7 and 9-12 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 2-7 and 9-12 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

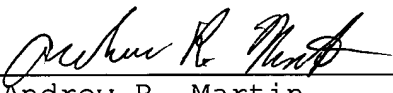
V. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

In re: Hinsberger et al.  
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Respectfully submitted,

Hinsberger et al.

By   
Andrew R. Martin  
Registration No. 45,413  
Attorney for Applicant(s)

BOURQUE & ASSOCIATES, P.A.  
835 Hanover Street, Suite 301  
Manchester, New Hampshire 03104

Telephone: (603) 623-5111  
Facsimile: (603) 624-1432

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